

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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| <p>SIRI DIAZ, CAROLYN SIEGEL, TALIA BUMB, BLERTA VIKKI, DANIELLE OWIMRIN, and SUSAN LEVIN on behalf of themselves and all others similarly situated,</p> <p>Plaintiffs,</p> <p>-against-</p> <p>SCORES HOLDING COMPANY, INC.; GO WEST ENTERTAINMENT, INC. a/k/a SCORES WEST SIDE; and SCORES ENTERTAINMENT, INC., a/k/a SCORES EAST SIDE, ENTERTAINMENT MANAGEMENT SERVICES, INC.; and 333 EAST 60<sup>th</sup> STREET, INC. a/k/a SCORES EAST SIDE</p> <p>Defendants.</p> | <p>X</p> <p>:</p> <p>No. 07 Civ. 8718 (RMB)(THK)</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> |
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**DECLARATION OF IRIKA SARGENT IN SUPPORT OF DEFENDANTS' CROSS-MOTION TO DISMISS AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR CONDITIONAL CERTIFICATION AND COURT-AUTHORIZED NOTICE PURSUANT TO SECTION 216(b) OF THE FLSA**

IRIKA SARGENT hereby declares the following under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am an associate at Greenberg Traurig, LLP, attorneys for Defendants Scores Holding Company Inc., Go West Entertainment, Inc. a/k/a Scores West Side, Entertainment Management Services, Inc., and 333 East 60<sup>th</sup> Street, Inc. a/k/a Scores East Side. The statements made in this declaration are based upon my own personal knowledge and my review of the documents, deposition testimony and exhibits, and information obtained in the discovery conducted to date in the above-captioned action.

2. Plaintiffs Danielle Owimrin and Susan Levin were scheduled for depositions on April 4, 2008 and April 7, 2008, respectively. Both Plaintiffs failed to appear for their depositions.

3. Attached hereto as Exhibit 1 is a true and accurate copy of the Court Order, dated March 25, 2008, which directed Plaintiffs Owimrin, Levin and Diaz to appear for depositions.

4. Attached hereto as Exhibit 2 is a true and accurate copy of the Secretary of Labor Amicus Letter Brief in *Long John Silver's Rests., Inc. v. Cole*, No. 05-CV-3039 (D.S.C. Filed Dec. 13, 2005).

5. Attached hereto as Exhibit 3 is a true and accurate copy of excerpts of the deposition testimony of Carolyn Siegel, taken January 8, 2008.

6. Attached hereto as Exhibit 4 is a true and accurate copy of excerpts of the deposition testimony of Talia Bumb, taken January 24, 2008.

7. Attached hereto as Exhibit 5 is a true and accurate copy of excerpts of the deposition testimony of Blerta Vikki, taken January 28, 2008.

8. Attached hereto as Exhibit 6 is a true and accurate copy of Blerta Vikki's 2005 tax return, which was marked at her deposition as Vikki Exhibit 13.

9. Attached hereto as Exhibit 7 is a true and accurate copy of Blerta Vikki's 2004 Go West 1099 tax form, which was marked at her deposition as the first page of Vikki Exhibit 7.

10. Attached hereto as Exhibit 8 is a true and accurate copy of Blerta Vikki's 2005 Go West 1099 tax form, which was marked at her deposition as the first page of Vikki Exhibit 8.

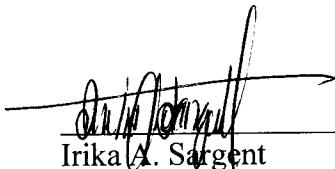
11. Attached hereto as Exhibit 9 is a true and accurate copy of excerpts of the deposition testimony of Siri Diaz, taken April 3, 2008.

12. Attached hereto as Exhibit 10 is a true and accurate copy of the Declaration of Desiree Napolitano, dated April 8, 2008.

13. Attached hereto as Exhibit 11 is a true and accurate copy of the Declaration of Krystal Dubose, dated April 8, 2008.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 11, 2008



Irika A. Sargent